

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

## PCT

<b>To:</b> KNOBBE, MARTENS, OLSON & BEAR, LLP Attn. Mallon, Joseph J. 2040 Main Street 14th Floor Irvine, CA 92614 ETATS-UNIS D'AMERIQUE
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**NOTIFICATION OF TRANSMISSION OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION**

(PCT Rule 44.1)

<b>Date of mailing (day/month/year)</b>	27/02/2007
<b>Applicant's or agent's file reference</b>  NERBUS79VPC3	<b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below
<b>International application No.</b>  PCT/US2006/016104	<b>International filing date (day/month/year)</b> 27/04/2006
<b>Applicant</b>  NERBUS PHARMACEUTICALS, INC.	

1.  The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70

For more detailed instructions, see the notes on the accompanying sheet.

2.  The applicant is hereby notified that no International search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3.  With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of 18 months from the priority date, the International application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the International application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/I/B/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

<b>Name and mailing address of the International Searching Authority</b>  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	<b>Authorized officer</b> Angela López Navarro
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(See notes on accompanying sheet)

## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

**PATENT COOPERATION TREATY**  
**PCT**

**INTERNATIONAL SEARCH REPORT**

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>NEREUS79VPC3</b>	<b>FOR FURTHER ACTION</b> <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. <b>PCT/US2006/016104</b>	International filing date (day/month/year) <b>27/04/2006</b>	(Earliest) Priority Date (day/month/year) <b>29/04/2005</b>
Applicant <b>NEREUS PHARMACEUTICALS, INC.</b>		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the language, the international search was carried out on the basis of:
  - the international application in the language in which it was filed
  - a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
- b.  With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.
- 2.  Certain claims were found unsearchable (See Box No. II)
- 3.  Unity of Invention is lacking (see Box No III)
- 4. With regard to the title,
  - the text is approved as submitted by the applicant
  - the text has been established by this Authority to read as follows:  
**METHODS OF USING HETEROBYCLIC COMPOUNDS FOR TREATMENT OF RECTAL CANCER**

5. With regard to the abstract,

- the text is approved as submitted by the applicant
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. \_\_\_\_\_
  - as suggested by the applicant
  - as selected by this Authority, because the applicant failed to suggest a figure
  - as selected by this Authority, because this figure better characterizes the invention
- b.  none of the figures is to be published with the abstract

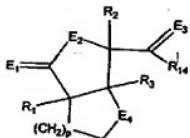
## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2005/016104

## Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

Disclosed are methods of treating cancer comprising administering to the animal, a therapeutically effective amount of a heterocyclic compound of Formula VI. The animal is a mammal, preferably a human or a rodent.



Formula VI

## INTERNATIONAL SEARCH REPORT

International application No  
PCT/US2006/016104

A. CLASSIFICATION OF SUBJECT MATTER  
INV. A61K31/407 A61P35/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, BEILSTEIN Data, EMBASE, BIOSIS, CHEM ABS Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 2004/071382 A (BAYER HEALTHCARE AG; STADLER, MARC; SEIP, STEPHAN; MUELLER, HARTWIG; M) 26 August 2004 (2004-08-26) claim 1 pages 19-20 -----	1-29
Y	WO 96/32105 A (PRESIDENT AND FELLOWS OF HARVARD COLLEGE; SCHREIBER, STUART, L; STANDA) 17 October 1996 (1996-10-17) page 2 -----	1-29
P, X, Y	US 2005/288352 A1 (POTTS BARBARA C [US] ET AL) 29 December 2005 (2005-12-29) column 7 -----	1-29 -/-

Further documents are listed in the continuation of Box C.

See patent family annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority (claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*I\* later document published after the international filing date or priority date and not in conflict with the application but which is essential to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

\*S\* document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
24 January 2007	27/02/2007
Name and mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel: (+31-70) 340-2040, Tx: 31 651 epo nl Fax: (+31-70) 340-3016	Authorized officer  Steendijk, Martin

## INTERNATIONAL SEARCH REPORT

International application No PCT/US2006/016104
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## C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X, Y	WO 2006/028525 A (NEREUS PHARMACEUTICALS, INC; POTTS, BARBARA, CHRISTINE; MACHERLA, VENK) 16 March 2006 (2006-03-16) claims 34-36 pages 66-70 -----	1-29
P, X, Y	WILLIAMS P G ET AL: "New cytotoxic salinosporamides from the marine actinomycete <i>Salinispora tropica</i> " JOURNAL OF ORGANIC CHEMISTRY, AMERICAN CHEMICAL SOCIETY, EASTON, US, vol. 70, no. 16, 1 July 2005 (2005-07-01), pages 6196-6203, XP002376431 ISSN: 0022-3263 table 3; compound 6 -----	1-29
E	WO 2006/060609 A (HONEYWELL INT INC [US]; CHAPPELL CHARLES D [US]) 8 June 2006 (2006-06-08) pages 59-63 -----	1-29

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2006/016104

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 2004071382	A	26-08-2004	AU 2004212296 A1 BR P10407234 A CA 2515940 A1 JP 2006517934 T KR 20050098928 A MX PA05008478 A US 2006229353 A1	26-08-2004 31-01-2006 26-08-2004 03-08-2006 12-10-2005 18-10-2005 12-10-2006
WO 9632105	A	17-10-1996	AU 705791 B2 AU 5542396 A CA 2217817 A1 CN 1187769 A EP 0820283 A1 JP 11503732 T NZ 306775 A US 6335358 B1 US 5756764 A US 6147223 A US 6458825 B1 US 6214862 B1 US 6645999 B1 ZA 9602933 A	03-06-1999 30-10-1996 17-10-1996 15-07-1998 28-01-1998 30-03-1999 28-10-1999 01-01-2002 26-05-1998 14-11-2000 01-10-2002 10-04-2001 11-11-2003 03-02-1997
US 2005288352	A1	29-12-2005	NONE	
WO 2006028525	A	16-03-2006	AU 2005283141 A1 CA 2565235 A1	16-03-2006 16-03-2006
WO 2006060609	A	08-06-2006	NONE	

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**  
(PCT Rule 43bis.1)

Applicant's or agent's file reference  
see form PCT/ISA/220

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

International application No.

PCT/US2006/016104

International filing date (day/month/year)

27.04.2006

Priority date (day/month/year)

29.04.2005

International Patent Classification (IPC) or both national classification and IPC  
INV. A61K31/407 A61P35/00

**FOR FURTHER ACTION**

See paragraph 2 below

Applicant

NEREUS PHARMACEUTICALS, INC.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Date of completion of  
this opinion

see form  
PCT/ISA/210

Authorized Officer

Steendijk, Martin

Telephone No. +49 89 2399-8460



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2006/016104

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**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of:
  - the international application in the language in which it was filed
  - a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material:
    - on paper
    - in electronic form
  - c. time of filing/furnishing:
    - contained in the international application as filed.
    - filed together with the international application in electronic form.
    - furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. II Priority**

- The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
- This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2006/016104

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**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

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The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

- the entire international application  
 claims Nos. 1-29

because:

- the said international application, or the said claims Nos. 1-29 relate to the following subject matter which does not require an international search (*specify*):

see separate sheet

- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):
- no international search report has been established for the whole application or for said claims Nos.
- a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:
- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
  - furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13ter.1(a) or (b).
- a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.
- the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
- See Supplemental Box for further details

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2006/016104

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	1-29
	No: Claims	
Inventive step (IS)	Yes: Claims	1-29
	No: Claims	
Industrial applicability (IA)	Yes: Claims	
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

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**Box No. VI Certain documents cited**

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1. Certain published documents (Rules 43bis.1 and 70.10)  
and / or
2. Non-written disclosures (Rules 43bis.1 and 70.9)

**see form 210**

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2006/016104

- 1) The present application relates to the use of heterobicyclic compounds of formula VI-A or VI in treatment of rectal cancer.

2) Cited documents

D1: WO 2004/071382 A

D2: WO 96/32105 A

D3: US 2005/288352 A1 (2005-12-29)

D4: WO 2006/028525 A(2006-03-16)

D5: J.ORG.CHEM., vol. 70, no. 16, (2005-07-01), pages 6196-6203

D6: WO 2006/060609 A (2006-06-08)

Documents D3-D5 were published after the priority claimed for the present application and are herein only considered as prior art in as far as the application is not priority entitled.

Document D6 was published after the filing of the present application and is herein not considered as prior art. Document D6 results from the priority application.

3) Priority

The compounds of formula VI-A are not described in the priority document. Moreover, compounds of formula VI-1B and VI-1C as defined in the present application had not been described in the priority document with similar stereochemistry and can therefore not be regarded as specifically disclosed in the priority document. Finally, whereas the priority document may be regarded to describe compounds of formula VI, VI-1 and VI-1A as presently defined for treatment of rectal cancer, these documents do not appear to specifically describe the use of these agents to induce apoptosis of a cancer cell wherein the cancer cell is rectal cancer.

In as far as the claimed subject-matter is not specifically disclosed in the priority document, the priority cannot be recognized.

3) Novelty

Document D1 describes various salinosporamides as proteasome inhibitors useful in the treatment of a variety of disorders, including colon cancer (see pages 19-20). This document does not disclose the alternatively fused compounds presently defined and does not specifically describe treatment of rectal cancer.

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.  
PCT/US2006/016104

Document D2 describes lactacystin analogues useful as proteasome inhibitors; the compounds of D2 lack the substitution "R3" in the compounds presently defined.

Documents D3 and D4 already describe compounds of formula VI, VI-1 and VI-1A and specific stereoisomers of formula VI-1B and VI-C as useful in treatment of i.a. colorectal carcinoma. These documents do not specifically describe treatment of rectal cancer, which may be considered a specific subgroup within colorectal cancer.

Document D5 describes activity of a compound of formula VI/VI-1 as active against colon cancer cells; the document does not describe treatment of rectal cancer.

4) Inventive step

In as far as the claimed subject-matter is priority entitled, document D1 may be considered as closest prior art.

The alternatively fused agents as presently defined would however seem obvious, active derivatives from the known salinosporamides of D1 in the light of D3, as this document D3 describes for the structurally and functionally closely related lactacystins the possibility of similar, alternative fusion (see meaning of Z2/R1/R2 on i.a. page 2). The selection of rectal cancer would in this context appear an obvious selection amongst types of susceptible cancer, especially in the light of colon cancer as mentioned susceptible cancer.

In as far as the priority is not valid, documents D3-D5 represent additional prior art describing activity of compounds of formula VI, VI-1 and VI-1A and specific stereoisomers of formula VI-1B and VI-C as useful in treatment of cancer such as colorectal carcinoma. The selection of treatment of rectal cancer would in the light of D3-D5 seem an obvious selection amongst types of susceptible cancer.

Moreover, the further modification implied by the definition of compounds by formula VI-A (additional substitution by R1) would seem obvious by analogy with the general formula for the alternatively fused salinosporamides known to be similarly active (D3/D4, formula I).

In this context it is further observed that the application appears to provide no specific support for particular activity of compounds of formula VI-A nor particular

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2006/016104

activity against rectal cancer.

- 5) Further observations
- 5.1 The compounds of formula VI-1A/B/C of claim 7 do not appear covered by the independent claim 1 relating to compounds of formula VI-A (in which R1 is not hydrogen) alternatively fused salinosporamides of dependent claims 6, 17, 28, 46 and 64 would not appear to fall under the respective independent claims.
- 5.2 Claims 1-29 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 67.1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of these claims (Article 34(4)(a)(I) PCT).
- 5.3 The claims relate to heterobicyclic compounds of formula VI-A or VI, whereas the description refers the invention as pertaining to alternatively fused salinosporinamides as well.

Bitte beachten Sie, dass angeführte Nichtpatentliteratur (wie z. B. wissenschaftliche oder technische Dokumente) je nach geltendem Recht dem Urheberrechtsschutz und/oder anderen Schutzarten für schriftliche Werke unterliegen könnte. Die Vervielfältigung urheberrechtlich geschützter Texte, ihre Verwendung in anderen elektronischen oder gedruckten Publikationen und ihre Weitergabe an Dritte ist ohne ausdrückliche Zustimmung des Rechtsinhabers nicht gestattet.

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